



August 7, 2018

Ms. Jennifer Jessup  
Departmental Paperwork Clearance Officer  
Department of Commerce  
Room 6616  
14<sup>th</sup> and Constitution Avenue, NW  
Washington, DC 20230

RE: Comments on Proposed Information Collection on 2020 Census, Docket No. USBC-2018-0005

Dear Ms. Jessup,

On behalf of Asian Americans Advancing Justice (Advancing Justice), we write to offer comments on the 2020 Census information collection. Advancing Justice, a national affiliation of five independent nonprofit organizations dedicated to serving our nation's most rapidly growing racial minority community, actively works to ensure a fair and accurate count during the census because of the importance of census data to Asian Americans, Native Hawaiians, and Pacific Islanders (AANHPIs). The Advancing Justice affiliation is comprised of our nation's oldest Asian American legal advocacy center located in San Francisco (Advancing Justice – Asian Law Caucus), our nation's largest Asian American advocacy service organization located in Los Angeles (Advancing Justice – Los Angeles), the largest national Asian American policy advocacy organization located in Washington D.C. (Advancing Justice – AAJC), the leading Midwest Asian American advocacy organization (Advancing Justice – Chicago), and the Atlanta-based Asian American advocacy organization that serves one of the largest and most rapidly growing Asian American communities in the South (Advancing Justice – Atlanta). Together, Advancing Justice has been working to eliminate the barriers that have historically resulted in the undercounting and underreporting of AANHPIs in federal data collection and analysis efforts, particularly in the decennial census count. Advancing Justice has conducted extremely successful national, state, and local outreach and educational projects focused on the AANHPI communities for Census 2000 and Census 2010, and plans to do so again for Census 2020.

Census data are the building blocks for our society – they are the basis for reapportioning political representation and redistricting at all levels, informing effective and efficient policy and planning decisions, and distributing over \$800 billion federal funds annually to states.<sup>1</sup> Without

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<sup>1</sup> Andrew Reamer, George Washington University Institute of Public Policy, COUNTING FOR DOLLARS 2020: The Role of the Decennial Census in the Geographic Distribution of Federal Funds Report #2: Estimating Fiscal Costs of a Census Undercount to States 1 (2018), [https://gwipp.gwu.edu/sites/g/files/zaxdzs2181/f/downloads/GWIPP\\_Reamer\\_Fiscal\\_Impacts\\_of\\_Census\\_Undercount\\_on\\_FMAP-based\\_Programs\\_03-19-18.pdf](https://gwipp.gwu.edu/sites/g/files/zaxdzs2181/f/downloads/GWIPP_Reamer_Fiscal_Impacts_of_Census_Undercount_on_FMAP-based_Programs_03-19-18.pdf).

an accurate count of AANHPIs, these decisions will not address the needs of growing AANHPI communities. Additionally, Census data provide the most comprehensive set of socioeconomic data on AANHPI communities, particularly for subgroups. Contrary to the misconception of AANHPIs as a homogenous community, AANHPIs include more than several dozen detailed racial and ethnic groups that can differ dramatically across key social and economic indicators. An inaccurate count of AANHPIs by the 2020 Census would mean many in our communities, and their attendant needs, would be rendered invisible and neglected.

Heightening the importance of our census work is the fact that AANHPIs have historically faced an undercount during decennial censuses. AANHPIs were among those disproportionately undercounted in the 1990 Census count due to numerous obstacles, including cultural and linguistic barriers. The undercount of the AANHPI community in the 1990 Census was 2.36%.<sup>2</sup> Due in large part to the hard work of the Census Bureau on outreach initiatives in collaboration with education and outreach projects by many community-based organizations (CBOs), the Census Bureau improved its count of the AANHPI populations for Census 2000 and Census 2010. The 2000 Census yielded a slight overcount nationally for Asian Americans and a 2.12% undercount for the NHPI community.<sup>3</sup> The 2010 Census had a relatively “accurate” count for AANHPIs, with a net undercount rate of 0.08% for Asian Americans and 1.34% for NHPIs.<sup>4</sup> While those undercount rates are statistically insignificant, the 2010 Census, in fact, missed hundreds of thousands of Asian Americans – a problem that was offset, at the national level, by double counting or other mistaken enumerations.<sup>5</sup>

As stated in the federal register notice, “[t]he goal of the 2020 Census is to count everyone once, only once, and in the right place.”<sup>6</sup> To achieve that goal, the Census Bureau must prioritize the quality of the data it collects above all else, including cost savings. By definition, counting those that are harder to count will cost more. And today’s anti-immigrant, hostile political climate means there will be more that are hard to count, and they will be harder to count than ever. Thus, the 2020 Census effort must be focused on counting those hardest to count. These comments will address how best to ensure a fair and accurate census that counts everyone by providing concerns and recommendations on the content and form design as well as design changes in four key areas: reengineered address canvassing, optimizing self-response, utilizing administrative records and third-party data, and reengineered field operations. In particular, the comments will focus on (i) whether the proposed collection of information is necessary for the proper performance of the function of the agency, including whether the information shall have

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<sup>2</sup> Prior to the 2000 Census, Asian Americans and Native Hawaiian and Pacific Islanders were reported together as one category as required by the Office of Management and Budget at that time. U.S. Census Bureau, *The Asian Population: 2010* (2012), <https://www.census.gov/prod/cen2010/briefs/c2010br-11.pdf> [hereinafter “Asian 2010 Report”]. See also, U.S. Census Bureau, *2010 Census Coverage Measurement Estimation Report: Summary of Estimates of Coverage for Persons in the United States 15* (2012), [https://www.census.gov/coverage\\_measurement/pdfs/g01.pdf](https://www.census.gov/coverage_measurement/pdfs/g01.pdf) [hereinafter “2010 CCM Report”].

<sup>3</sup> 2010 CCM Report. The 2000 Census was the first census that separated Native Hawaiian and Pacific Islanders from Asian Americans, as required by the Office of Management and Budget’s 1997 Revisions to the Standards for the Classification of Federal Data on Race and Ethnicities. See Asian 2010 Report.

<sup>4</sup> 2010 CCM Report at 15.

<sup>5</sup> *Id.* At 17.

<sup>6</sup> Proposed Information Collection; Comment Request; 2020 Census, 83 Fed. Reg. 26644 (June 6, 2018).

practical utility; (ii) ways to enhance the quality, utility, and clarity of the information to be collected; and (iii) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

## I. Content and Form Design

### A. *Citizenship Question*

In December 2017, the U.S. Department of Justice (DOJ) sent a letter to the Census Bureau, requesting a new citizenship question be included on the 2020 decennial census form. On March 26, 2018, Secretary of Commerce Wilbur Ross announced that he had directed the Census Bureau to add an untested and unnecessary question on citizenship status to the 2020 Census form. This is a problematic decision that threatens the quality of the 2020 Census and subsequent data products and surveys that rely on data from the 2020 Census. The decision to add a citizenship question on the 2020 Census form will disrupt preparations at a pivotal point in the decade, undermining years of research and testing, and will ultimately exacerbate historical differential undercounts, especially in immigrant communities. **Because of the likely harm to the quality of data and increase to the cost of taking the 2020 Census, we unequivocally urge the Census Bureau remove the citizenship question from the 2020 Census decennial form.**

#### i. Requested Data Are Not Necessary

The proposed collection of citizenship information on the 2020 decennial census form is not necessary. Article I, sec. 2, clause 3 of the Constitution requires a count every 10 years (decennial census) of **all persons** living in the country, not just citizens. In fact, every census since the first enumeration in 1790 has included citizens and non-citizens alike, with the 1950 Census being the last to collect citizenship data from the whole population.

Since 1960, the Census Bureau has collected citizenship data from a representative sample of households – previously through the long form and now through the American Community Survey (ACS). DOJ and VRA advocates have effectively used existing data from the ACS (and the long-form previously) to help implement and enforce the VRA. In fact, the citizenship question has never been asked on the census form sent to all households during the existence of the VRA, which was enacted in 1965. Thus, DOJ's claim that it needs this question on the decennial census form in order to determine violations of Section 2 of the Voting Rights Act ("VRA") and to permit more effective enforcement of the VRA is a claim without merit.

The lack of need for this data for VRA enforcement is further demonstrated by the fact that the request for this data did not originate from DOJ but rather from the Secretary of Commerce himself. In a supplemental memo from Secretary Ross, he made clear that "[a]s part of that deliberative process [on whether to reinstate a citizenship question], my staff and I consulted with Federal governmental components and inquired whether the Department of Justice (DOJ) would support, and if so would request, inclusion of a citizenship question as consistent with and

useful for enforcement of the Voting Rights Act.”<sup>7</sup> As documents uncovered during the litigation on the addition of the citizenship question show, there was never an actual need from DOJ for this level of data, and this was simply a fabrication to reverse engineer and justify Secretary Ross’ efforts to add the question.<sup>8</sup>

The lack of necessity for this question is underscored by the vast bipartisan, mainstream opposition to adding a citizenship question at the last minute, which included more than 120 members of Congress<sup>9</sup>, 161 Democratic and Republican mayors<sup>10</sup>, six former Census directors who served in Republican and Democratic administrations<sup>11</sup>, 19 attorneys general<sup>12</sup>, the statistical community<sup>13</sup>, and several dozen business leaders from across the country.<sup>14</sup> In the days following the decision, many continued to make their displeasure at this decision known, including two former Secretaries of Commerce, from Republican and Democratic administrations,<sup>15</sup> and the Census Bureau’s own Scientific Advisory Committee, which noted that “the decision was based on ‘flawed logic,’ could threaten the accuracy and confidentiality of the head count, and likely would make it more expensive to conduct.”<sup>16</sup>

ii. Citizenship Data Should Not Be Released on PL94-171 File

**We recommend that citizenship data not be released on the PL94-171 datafile.** The PL94-171 dataset should be released in the same form as in 2010, with the same number of tables, including the Total Population and the Voting Age Population tables.

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<sup>7</sup> Supplemental Memorandum by Sec’y of Commerce Wilbur Ross Regarding the Administrative Record in Census Litigation (June 21, 2018) (on file with Dep’t of Commerce).

<sup>8</sup> Paul Walderman, The Trump Administration’s Deception on the Census Should be a Major Scandal, Wash. Post: The Plum Line (July 25, 2018), [https://www.washingtonpost.com/blogs/plum-line/wp/2018/07/25/trump-administrations-deception-on-census-should-be-a-major-scandal/?utm\\_term=.04cf1627fa7d](https://www.washingtonpost.com/blogs/plum-line/wp/2018/07/25/trump-administrations-deception-on-census-should-be-a-major-scandal/?utm_term=.04cf1627fa7d).

<sup>9</sup> Press Release, Representative Carolyn B. Maloney, Maloney, Serrano, Gutierrez, 100+ Members Urge Sec’y Ross to Reject Dep’t of Justice’s Misguided Request to Add Citizenship Question to the 2020 Census (Jan. 18, 2018), <https://maloney.house.gov/media-center/press-releases/maloney-serrano-guti-rrez-100-members-urge-sec-ross-to-reject-doj-s>.

<sup>10</sup> Letter to The Honorable Wilbur Ross from the U.S. Conference of Mayors. (Feb. 6, 2018), <http://www.usmayors.org/wp-content/uploads/2018/02/20180206-census-letter.pdf>.

<sup>11</sup> Letter to The Honorable Wilbur L. Ross from Former Directors (Jan. 26, 2018), [https://www.washingtonpost.com/r/2010-2019/WashingtonPost/2018/03/27/Editorial-Opinion/Graphics/DOJ\\_census\\_ques\\_request\\_Former\\_Directors\\_ltr\\_to\\_Ross.pdf](https://www.washingtonpost.com/r/2010-2019/WashingtonPost/2018/03/27/Editorial-Opinion/Graphics/DOJ_census_ques_request_Former_Directors_ltr_to_Ross.pdf).

<sup>12</sup> Melissa Quinn, *Census Citizenship Question Gets Pushback from 19 State Attorneys General*, The Washington Examiner (Feb. 12, 2018), <https://www.washingtonexaminer.com/census-citizenship-question-gets-pushback-from-19-state-attorneys-general>.

<sup>13</sup> Letter to the Honorable Wilbur Ross from the American Statistical Association (Jan. 8, 2018), <http://www.amstat.org/asa/files/pdfs/POL-CitizenshipQuestion.pdf>.

<sup>14</sup> Letter to the Honorable Wilbur Ross from Ready Nation (Mar. 22, 2018), <https://censusproject.files.wordpress.com/2018/03/business-leader-census-sign-on-letter-citizenship-final-2.pdf>.

<sup>15</sup> Penny Pritzker & Carlos Gutierrez, *U.S. Census Is Not About Citizenship*, Bloomberg (Apr. 4, 2018), <https://www.bloomberg.com/view/articles/2018-04-04/u-s-census-is-not-about-citizenship>

<sup>16</sup> Michael Wines, *Census Bureau’s Own Expert Panel Rebukes Decision to Add Citizenship Question*, The New York Times (Mar. 30, 2018), <https://www.nytimes.com/2018/03/30/us/census-bureau-citizenship.html>.

The Voting Age Population tables are necessary for many reasons including:

1. Longitudinal district assessment
2. Checking reliability of the data against other census datasets, including the ACS Citizen Voting Age Population variable (or any other Citizen Voting Age Population variable that may be available)
3. Voting Age Population data are necessary for voting rights assessments and redistricting in some states - most circuits utilize VAP data for determining whether a minority group satisfies the first *Gingles* precondition for its Section 2 analysis.<sup>17</sup> Only four federal Courts of Appeal have found that CVAP is the appropriate measure for a Section 2 analysis.<sup>18</sup>

The inclusion of citizenship data on the PL94-171 file, and in fact the mere collection of citizenship data via the short form, will create significant differential privacy issues and necessitate increased disclosure avoidance methods that will inevitably result in a weaker and less accurate dataset for redistricting and voting rights enforcement purposes. The dissemination of citizenship data on the census block level will result in an increase in blocks that have zero cases due to data suppression. Citizenship data are already collected on the American Community Survey, using different and more reliable methodology that has been peer-reviewed and tested over time.

Furthermore, Voting Age Population tables should not be replaced with Citizenship Voting Age Population data for the reasons stated above: The PL94-171 is a longitudinal dataset, and replacing one variable that has been tested and used for **decades** with one that is untested, unreliable, and will be fraught with error, will be a detriment to the veracity of the dataset as a whole.

*iii. Census Bureau Leadership Advised Against Adding the Citizenship Question*

It is clear that Secretary Ross overruled Census Bureau leadership in rejecting their recommended method to provide DOJ with the citizenship data they purported to need. In a memo dated January 19, 2018 from John M. Abowd, Chief Scientist and Associate Director for Research and Methodology, to Secretary Ross, the Census Bureau recommended not adding a question on citizenship to the decennial census, finding that adding such a question is “very costly and harms the quality of the census count.”<sup>19</sup> In fact, Abowd noted that adding a citizenship question would result in “major potential quality and cost disruptions,” and its shortcomings include an increase in erroneous enumerations, whole-person census

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<sup>17</sup> Jorge Chapa, Ana Henderson, Aggie Jooyoon Noah, Werner Schink & Robert Kengle, The Chief Justice Earl Warren Institute on Law and Social Policy, University of California, Berkeley Law School, Redistricting: Estimating Citizen Voting Age Population 2 (Sept. 2011), [https://www.law.berkeley.edu/files/Redistricting\\_PolicyBrief4\\_forWeb.pdf](https://www.law.berkeley.edu/files/Redistricting_PolicyBrief4_forWeb.pdf).

<sup>18</sup> *Id.*

<sup>19</sup> Memorandum for Secretary of Commerce on Technical Review of the Department of Justice Request to Add Citizenship Question to the 2020 Census from Chief Scientist and Associate Director for Research and Methodology (Jan. 19, 2018), [www.osec.doc.gov/opog/FOIA/Documents/AR%20-%20FINAL%20FILED%20-%20ALL%20DOCS%20%5bCERTIFICATION-INDEX-DOCUMENTS%5d%206.8.18.pdf#page=1289](http://www.osec.doc.gov/opog/FOIA/Documents/AR%20-%20FINAL%20FILED%20-%20ALL%20DOCS%20%5bCERTIFICATION-INDEX-DOCUMENTS%5d%206.8.18.pdf#page=1289) (memo is part of administrative record produced on pages 1277-1285) [*hereinafter* “Abowd Memo”].

enumerations, and costs for non-response follow-up.<sup>20</sup> Abowd specifically found that “a question on citizenship would lead to some decline in overall self-response because it would make the 2020 Census modestly more burdensome in the direct sense, and potentially much more burdensome in the indirect sense that it would lead to a larger decline in self-response for noncitizen households.”<sup>21</sup>

iv. *Decrease in Self-Response Rate Will Lead to Increased Cost of the 2020 Census*

Recognizing that lower self-response rates raise the cost of conducting a census, Abowd calculates that this decrease in self-response due to the addition of a citizenship question would increase the cost of non-response follow-up by a *minimum* of \$27.5 million.<sup>22</sup> There was no upper bound on how high costs would be increased with the addition of the citizenship question. What is known is that for each percentage point increase in non-response follow-up (NRFU) workload, the cost of the census increases by approximately \$55 million.<sup>23</sup> Thus, the cost of the 2020 Census could become exponentially higher. Without the proper testing to determine the likely impact of the addition of this question, the Census Bureau cannot properly prepare for the upcoming census.

v. *Evidence of Harm from Adding Citizenship Question to Optimizing Self-Response*

Secretary Ross’s claim that there is no evidence that this decision will harm participation in the census is unfounded.<sup>24</sup> Abowd acknowledges that the “difference between citizen and noncitizen response rates and data quality will be amplified during the 2020 Census compared to historical levels.”<sup>25</sup> In fact, the Census Bureau itself has provided evidence that residents are fearful of responding to government surveys because of the current anti-immigrant environment. Noting “a recent increase in respondents spontaneously expressing concerns about confidentiality,” Census Bureau researchers found “an unprecedented ground swell in confidentiality and data sharing concerns, particularly among immigrants or those who live with immigrants” across communities and geographies.<sup>26</sup> More specifically, Census Bureau researchers “heard respondents express new concerns about topics like the ‘Muslim ban,’ discomfort ‘registering’ other household members by reporting their demographic characteristics, the dissolution of the ‘DACA’ (Deferred Action for Childhood Arrival) program,

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<sup>20</sup> *Id.*

<sup>21</sup> *Id.*

<sup>22</sup> *Id.*

<sup>23</sup> *Id.*

<sup>24</sup> The responsibility of rigorous research and testing to prove that the addition of the citizenship question would not affect accuracy of the census falls squarely on Secretary Ross and his department. It is incumbent on the Bureau to test the question further before adding it, especially when its research has shown this to be a concern.

<sup>25</sup> Abowd Memo.

<sup>26</sup> Memorandum for Associate Directorate for Research and Methodology (ADRM) on Respondent Confidentiality Concerns from Center for Survey Measurement (Sept. 20, 2017), <https://www2.census.gov/cac/nac/meetings/2017-11/Memo-Regarding-Respondent-Confidentiality-Concerns.pdf>.

repeated references to Immigration and Customs Enforcement (ICE),” and so forth.<sup>27</sup> In one case, an immigrant respondent stopped responding to questions about citizenship status during a survey interview and walked out of their own apartment, leaving the interviewer alone.<sup>28</sup>

In a recent memo, the Census Bureau also noted that “several Chinese-speaking focus group respondents stated that the Chinese community’s main fear or concern was immigration status and how the data are used. They also expressed concern about opening the door to a government official and not wanting to be ‘investigated.’”<sup>29</sup> This aligns with what was learned in focus groups of Asian Americans conducted by the Census Bureau prior to the 2010 Census.<sup>30</sup> In that research, many focus group participants found the census confusing, invasive, and potentially threatening, with the misguided belief that the census was linked to immigration enforcement or the IRS. Despite living in the U.S. during the 2000 Census, very few had previously participated in the census, citing language barriers, lack of interest, and misunderstanding about who could participate (believing only citizens could participate) as reasons for not participating.<sup>31</sup> The citizenship question, as the Bureau itself recognized, could present a barrier to participation in the 2020 Census, impact data quality, and would have a disproportionate impact on hard-to-count populations.

vi. Addition of Citizenship Question Harms AANHPIs

AANHPIs will be particularly harmed by this decision. The research to date has shown that our communities, as well as immigrant communities, are distrustful and fearful of sharing data with the federal government, particularly as it relates to citizenship. Additionally, Asian Americans are significantly immigrant, with over two-thirds of the population being foreign-born (See *Table below*). More than a quarter of Asian Americans are not citizens, and another quarter of immigrants are recent immigrants. Furthermore, different Asian American subgroups are more immigrant than others, with those communities being even more susceptible to being missed due to concerns about the addition of the untested citizenship question.

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<sup>27</sup> *Id.*

<sup>28</sup> *Id.*

<sup>29</sup> *Id.*

<sup>30</sup> U.S. Census Bureau, Ethnic and Racial Sub-Population Focus Group Research (2007), *available at* <http://www.phila.gov/phillycounts/pdfs/Ethnic%20and%20Racial%20Sub-Population%20Focus%20Group%20Research%20-%20Asian%20&%20Arab%20Americans.pdf> [*hereinafter* “Asian Focus Groups Report”].

<sup>31</sup> Several participants mistakenly confused the census questionnaire with other telephone or mail surveys conducted by private businesses or government agencies. *Id.*

Table: Asian American Immigrants<sup>32</sup>

	Total population	Foreign-born	Not a Citizen	Percentage of Immigrants who are "Recent Immigrants" <sup>33</sup>
<b>Asian American</b>	<b>17,556,935</b>	<b>66.2%</b>	<b>27.7%</b>	<b>24.6%</b>
Asian Indian	3,813,407	71.3%	37.1%	32.9%
Bangladeshi	175,592	74.7%	34.8%	37.5%
Burmese	153,262	82.5%	59.3%	51.8%
Cambodian	259,554	54.2%	13.3%	10.5%
Chinese	4,214,856	69.3%	30.6%	27.1%
Filipino	2,811,885	65.1%	19.5%	16.1%
Hmong	278,871	36.2%	8.0%	7.4%
Indonesian	76,516	73.6%	45.0%	19.4%
Japanese	789,830	41.7%	28.3%	30.8%
Korean	1,438,915	71.6%	27.3%	14.9%
Laotian	205,131	56.8%	12.8%	7.0%
Nepalese	155,573	85.2%	65.0%	56.2%
Pakistani	460,515	66.3%	25.3%	26.5%
Thai	202,744	76.9%	33.1%	23.5%
Vietnamese	1,803,575	67.4%	16.3%	15.8%

Source: Table S0201: SELECTED POPULATION PROFILE IN THE UNITED STATES, 2016 American Community Survey 1-Year Estimates

Today's political climate and the public's perception of the government and where its priorities lie also influence the impact of the addition of a citizenship question. Immigrant<sup>34</sup> and Muslim<sup>35</sup> communities already have been shown to fear the census because of the increase in virulent anti-immigrant and anti-Muslim rhetoric, and now, the addition of a citizenship question. In fact, we have seen reports of immigrants shunning common activities out of fear of reprisal from the government. For example, journalists have noted stories of parents "keeping their children home from school [and] ... suspend[ing] after-school visits to the public library"<sup>36</sup> as well as immigrants avoiding attending church service.<sup>37</sup> In our own community engagement, we have heard from our community groups that immigrant community members are not applying for food stamps

<sup>32</sup> The data presented here is for the "alone" population.

<sup>33</sup> Recent immigrants are those who entered the country in 2010 or later. The percentage is of the population that is born outside of the United States, and not of the entire population.

<sup>34</sup> Chrisina Isabelli, Yuling Pan & Stephen Lubkemann, Illinois Wesleyan University, Observing Census Enumeration of Non-English Speaking Households in the 2010 Census: Spanish Report (Survey Methodology #2012-06, Aug. 10, 2012), <https://www.census.gov/srd/papers/pdf/rsm2012-06.pdf>.

<sup>35</sup> Tara Bahrapour, *Some Muslims, Fearing Backlash, Worry About Intent of Census*, The Wash. Post (Mar. 10, 2010), <http://www.washingtonpost.com/wp-dyn/content/article/2010/03/09/AR2010030901688.html?sid=ST2010031600020>.

<sup>36</sup> Ray Sanchez, *After ICE Arrests, Fear Spreads Among Undocumented Immigrants*, CNN (Feb. 12, 2017), <http://www.cnn.com/2017/02/11/politics/immigration-roundups-community-fear/>.

<sup>37</sup> *Immigrants Wait in Fear Over Raids; Trump Takes Credit*, The Associated Press (Feb. 12, 2017), <http://www.cbsnews.com/news/immigrants-wait-in-fear-over-raids-trump-takes-credit/>.

and other government services. In this sort of climate, undocumented immigrants, legal permanent residents, and even U.S. citizens who live in households where family members have varying immigration status, were already disinclined to answer the Census.<sup>38</sup> The last-minute addition of the citizenship question will exacerbate fears and will harm confidence in the confidentiality of the Census. It has, and will continue to, promote the belief among many residents that the Bureau will use the information they provide in a detrimental manner. This is likely to generate disparate racial and ethnic impacts and undermine the validity of the data.

The reality is asking every household and every person in the country about their citizenship status in the current political environment – when there is no need to do so – may cause hundreds of thousands of people in our communities to avoid the census out of fear that they will be targeted by this administration. Lower response rates result in less accurate and timely statistics that can only be summarized at highly aggregated levels and preclude detailed information at the geographic and subpopulation levels, with small and minority populations, including AANHPIs, being underrepresented by official statistics, particularly at the disaggregated levels. This would likely intensify the effects of previous decreases in response rates, leading to unsustainable increases in costs and higher risks of bias in published results.

### ***B. Race & Ethnicity***

We are disappointed that the Census Bureau did not select the question format that was most successful in its 2015 National Content Test (NCT) for the questions on race and ethnicity on the 2020 Census. According to the submission made to Congress, the Census Bureau plans to utilize two separate questions<sup>39</sup> on the 2020 form to ask about race and ethnicity. This is in contrast to the version tested in the 2015 National Content Test (and the one that was recommended for further testing with the plan to implement for the 2020 Census)<sup>40</sup>, which was the combined question with detailed checkboxes format for each group, a Middle Eastern or North African (MENA) category, and the ability for everyone to select multiple boxes, including for the Hispanic options (which was not available on previous census forms). **We recommend the Census Bureau adopt the originally recommended format to the extent possible, which would enhance the quality and utility of the information collected given the diversity that exists within races, particularly within AANHPI communities.**

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<sup>38</sup> Maya Advertising and Communications & Garcia Research Associates, Preparation for the 2010 Census Hispanic Community Focus Group Qualitative Research Report (2007), <http://www.phila.gov/phillycounts/pdfs/Hispanic%20Community%20Focus%20Groups%20Qualitative%20Research%20Report.pdf> [hereinafter “Latino Focus Groups Report”].

<sup>39</sup> U.S. Census Bureau Questions Planned for the 2020 Census and American Community Survey, 9, 11 (2018), <https://www2.census.gov/library/publications/decennial/2020/operations/planned-questions-2020-acr.pdf>.

<sup>40</sup> U.S. Census Bureau, 2015 National Content Test Race and Ethnicity Analysis Report, Table H31, 299 (2017), <https://www2.census.gov/programs-surveys/decennial/2020/program-management/final-analysis-reports/2015nct-race-ethnicity-analysis.pdf> [hereinafter “2015 NCT Report”].

i. Need for Detailed Data on AANHPIs

The collection of detailed data is particularly critical for AANHPIs, who are among our nation's fastest growing and most diverse racial groups.<sup>41</sup> Often viewed as homogenous, these communities include more than 50 detailed race groups that can differ dramatically across key social and economic indicators. For example, while only 6% of Filipino Americans nationwide live below the poverty line, approximately 26% of Hmong Americans are poor.<sup>42</sup> Similarly, about 49% of Marshallese live below the poverty line, while only 5% of Fijians are poor.<sup>43</sup> Roughly 73% of Taiwanese Americans hold a bachelor's degree, yet only 12% of Laotian Americans do.<sup>44</sup> Similarly, while almost 18% of NHPI adults overall have a bachelor's degree, only 3% of Marshallese do.<sup>45</sup> Another example is pay equity. While AANHPI women are paid an average of 86 cents for every dollar a white man is paid, disaggregated data demonstrates that, for example, Native Hawaiian women are paid only 66 cents for every dollar a white man is paid; for Vietnamese, Laotian, and Samoan American women, 61 cents; for Burmese American women, 53 cents; and for Bhutanese American women, only 38 cents.<sup>46</sup> A Department of Labor report issued on The Economic Status of Asian Americans and Pacific Islanders shows the necessity of disaggregated data in understanding AANHPI populations.<sup>47</sup> Without accurate data by detailed race group, some of the most disadvantaged in our communities are rendered invisible to policymakers, leaving their critical needs unmet.

The most important factors for AANHPI communities in contemplating the collection and reporting of race data are maintaining or improving the detailed reporting for all groups achieved previously and ensuring the accuracy of the data collected. Maintaining or improving upon the quality of these data is essential to informed public policy for our communities.

Any race and/or ethnicity question format chosen should include:

- A maximum number of checkboxes, with the number used during the 2010 Census serving as a minimum;

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<sup>41</sup> Bill Chappell, *Census Finds A More Diverse America, As Whites Lag Growth*, NPR (June 22, 2017), <http://www.npr.org/sections/thetwo-way/2017/06/22/533926978/census-finds-a-more-diverse-america-as-whites-lag-growth>; Press Release U.S. Census Bureau, , 2010 Census Shows Asians are Fastest-Growing Race Group (March 21, 2012), [https://www.census.gov/newsroom/releases/archives/2010\\_census/cb12-cn22.html](https://www.census.gov/newsroom/releases/archives/2010_census/cb12-cn22.html).

<sup>42</sup> Asian Pacific American Legal Center & Asian American Justice Center, *A Community of Contrasts: Asian Americans in the United States: 2011*, 36 (2011), [http://www.advancingjustice.org/pdf/Community\\_of\\_Contrast.pdf](http://www.advancingjustice.org/pdf/Community_of_Contrast.pdf) [hereinafter "Asian American Report"].

<sup>43</sup> Asian Americans Advancing Justice & Empowering Pacific Islander Communities, *A Community of Contrasts: Native Hawaiians and Pacific Islanders in the United States, 2014*, 18 (2014), [http://empoweredpi.org/wp-content/uploads/2014/06/A\\_Community\\_of\\_Contrasts\\_NHPI\\_US\\_2014-1.pdf](http://empoweredpi.org/wp-content/uploads/2014/06/A_Community_of_Contrasts_NHPI_US_2014-1.pdf) [hereinafter "NHPI Report"].

<sup>44</sup> Asian American Report at 31.

<sup>45</sup> NHPI Report at 11.

<sup>46</sup> Miriam Yeung, American Association of University Women, *Overcoming the "Model Minority" Myth: AAPI Women Are Not Paid Equally* (Mar. 15, 2016), <http://www.aauw.org/2016/03/15/aapi-equal-pay-day/>.

<sup>47</sup> U.S. Dept. of Labor &, *The Economic Status of Asian Americans and Pacific Islanders* (2016), <https://www.dol.gov/sec/media/reports/AsianLaborForce/2016AsianLaborForce.pdf>.

- A maximum number of examples, with the number used during the 2010 Census serving as a minimum; and
- Clearly identified NHPI response options as separate from Asian American response options.

We note that these recommendations were supported by the results from the 2015 National Content Test (2015 NCT), which showed that the combined question with detailed checkboxes performed better than the combined question with write-ins for all modes of responses for the decennial census.<sup>48</sup> We believe that utilization of checkboxes and examples is critical regardless of the format of the question(s). Unfortunately, by choosing the two-question format, and by choosing those specific questions, the Census Bureau is missing an opportunity to modernize the way in which our country gathers information about race and ethnicity.

ii. Missed Opportunity: NHPIs

The race question submitted to Congress that will be used for the 2020 Census does a disservice to NHPIs. The recommended combined question panel allowed for more detailed checkboxes (Tongan, Fijian, and Marshallese) and more examples for the “Other NHPI” option (Palauan, Tahitian, and Chuukese). These checkboxes and examples are lost with the submitted question. Another lost opportunity was having the NHPI response options clearly identified as separate from Asian American response options – the recommended combined question had two options and detailed checkboxes (for American Indians and Alaskan Natives, as well as for Middle Eastern North African) between Asian and NHPI response options. The submitted question once again has them side by side without any labeling above the detailed checkboxes. This is a missed opportunity to provide more options and better clarity for NHPIs.

iii. Missed Opportunity: Failure to Create New Reporting Category of Middle Eastern or North African (MENA)

We have been supportive of efforts by advocates in the MENA community to have distinct reporting categories for the community. Current OMB guidelines that classify persons from the MENA region as white by race are not accurate or useful, and are increasingly confusing survey respondents as well as government and other agencies tasked with collecting information on, and providing services to, these populations. The 2015 NCT results show that when a distinct MENA category was present, there was a significant decrease in responses for all other response categories, including a significant decrease in “Some Other Race” responses.<sup>49</sup> This is not surprising as we saw that record numbers of persons of Arab, Iranian, Chaldean, Turkish, and other Middle Eastern and North African origins chose to use the “Some Other Race” box to write-in an ethnic origin.<sup>50</sup> Testing has shown time and time again that many members of this

<sup>48</sup> 2015 NCT Report at 299 (Table H31).

<sup>49</sup> 2015 NCT Report at 59.

<sup>50</sup> Comments from Asian Americans Advancing Justice | AAJC on Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity, 81 Fed. Reg. 67398 (Oct. 31, 2016), <http://advancingjustice-aaajc.org/sites/default/files/2016-11/Advancing%20Justice%20AAJC%20-%20OMB%20Standards%20re%20Race%20and%20Ethnicity%20Oct%202016.pdf>.

community do not see themselves in a “White” racial classification. The MENA category is practical and necessary, and it will provide the community and the government the ability to measure the community’s access to resources, disparate treatment and/or community needs in law enforcement, hospitals, schools, employment, and so forth.

Unfortunately, with OMB’s failure to finalize revisions to its Standards, the Census Bureau decided to forgo including a MENA response option for the 2020 Census, despite the fact that there were panels tested that included two questions with a MENA response option. It appears that the Census Bureau failed to consult the impacted community first and foremost for the appropriate approach to take for the MENA option in light of OMB’s failure to revise its Standards. The Census Bureau missed an opportunity to modernize its race and ethnicity questions, with ongoing harm occurring to the MENA communities. Without the MENA response category, federal agencies will continue to fail to identify the unique issues facing this population and thus continue to fail to address their needs. This all comes at a time when many immigrants from the MENA region are less likely to want to cooperate with the federal government. Portions of these populations remain hard to reach because their relationship with government agencies is often characterized by fear. These are all reasons to take immediate steps to improve our tools to identify needs and serve these communities.

iv. *Missed Opportunity: Allowing for More Accurate Hispanic Origin Responses*

The Census Bureau’s failure to adopt a combined race and ethnicity question that includes detailed national origin/subgroup checkboxes, and allows respondents to provide multiple national origin identifications under every major racial or ethnic category, is a missed opportunity. The reality is that the Census Bureau’s own research has shown that a significant portion of Latinos do not identify with the specific racial categories set forth in a separate race question. In 2010, of the 19.1 million people who identified as “Some other race,” 97% were Latino. Using a combined question to ask about race and ethnicity resulted in a dramatic decline in “Some other race” responses. Latino respondents were more likely to convey their Latino ethnicity, and less likely to self-identify as White, when given a survey with a single combined race and ethnicity question. Thus, the decision to not use a combined question is a missed opportunity.

This is compounded by yet another missed opportunity with respect to how respondents can answer the standalone Hispanic origin question. The separate-questions format used in the 2010 decennial Census did not allow for the reporting of multiple national Hispanic origins, which has been shown to result in the loss of detailed Hispanic origin information. In response to a differently-formatted ethnicity question on the 2000 decennial Census, the Bureau observed that more than 260,000 respondents attempted to report multiple Hispanic origin responses. Thus, to the extent that the Census Bureau is moving forward with a two-question format asking about race and ethnicity, it should utilize the instructions from its 2018 End-to-End Test, allowing for the marking of multiple Hispanic origin responses.

## II. Design Changes in Four Key Areas

### A. *Reengineered Address Canvassing*

The Census Bureau's reliance on technology in their reengineered address canvassing operations could negatively impact a fair and accurate count of Asian Americans through the use of technology to replace on-the-ground, in-person address canvassing for 70% of the addresses in its database. In-office address canvassing, which relies on tools such as administrative records and satellite imagery, is less able to detect nontraditional, complex households than people in the field. The reality is that the traditional concept of a household – one that only includes a married couple with children under 18 – has been giving way to nontraditional, more complex households over the last several decades.<sup>51</sup> While three-fourths of all U.S. households in 1960 consisted of married couples with or without children, in 2000, just under 53 percent of all households consisted of married couples with or without children.<sup>52</sup> The increase in nontraditional, complex households stems from “demographic trends such as: increases in immigration rates and the proportion of the population that is foreign born[...], and changing migration streams now coming predominantly from Asia and Latin America, rather than from Europe. Other factors include increases in cohabitation and blended families due to more divorces and remarriages; increases in the proportions of cohabitor households with children; and dramatic increases in grandparent-maintained households and nonrelative households.”<sup>53</sup> In fact, multigenerational households – those that include two or more adult generations, or those that include grandparents and grandchildren – have been increasing, with a record 60.6 million people (or 19% of the U.S. population) living with multiple generations under one roof in 2014.<sup>54</sup>

Asian Americans are more likely to live in non-traditional, complex households. Sixty-seven percent of Asian Americans are immigrants,<sup>55</sup> and those that are foreign-born are more likely to live with multiple generations of family.<sup>56</sup> In 2014, 28% of Asian Americans lived in multigenerational family households, among the highest of any group.<sup>57</sup> Additionally, we've seen in recent years that young adults are the age group most likely to live in multigenerational households. In fact, for the first time in more than 130 years, young adults 18 to 34 were more likely to be living with parents than any other living arrangements in 2014.<sup>58</sup> Over 4.6 million

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<sup>51</sup> Laurie Schwede, U.S. Census Bureau, *Complex Households and Relationships in the Decennial Census and in Ethnographic Studies of Six Race/Ethnic Groups* (Final Report, Aug. 27, 2003), <https://www.census.gov/pred/www/rpts/Complex%20Households%20Final%20Report.pdf>.

<sup>52</sup> *Id.*

<sup>53</sup> *Id.*

<sup>54</sup> D'Vera Cohn & Jeffrey S. Passel, *A record 60.6 million Americans live in multigenerational households*, Pew Research Center (Aug. 11, 2016), <http://www.pewresearch.org/fact-tank/2016/08/11/a-record-60-6-million-americans-live-in-multigenerational-households/> [hereinafter “Pew Multigenerational Report”].

<sup>55</sup> U.S. Census Bureau, 2015 American Community Survey 1-Year Estimates, Table B05003D Sex By Age By Nativity And Citizenship Status (Asian Alone).

<sup>56</sup> Pew Multigenerational Report.

<sup>57</sup> *Id.*

<sup>58</sup> *Id.*

Asian Americans are 18 to 34 years old, representing just over one in four Asian Americans.<sup>59</sup> Asian Americans are often more likely to live in crowded conditions. For example, in New York City in 2009, Asian Americans had larger households than average (3.12 people v. 2.67) and were more likely to live in a household with more than one occupant (14% v. 8%).<sup>60</sup> Asian Americans can also find themselves living in crowded housing with many unrelated individuals in an effort to find affordable housing.<sup>61</sup> All these households are complex and can be more difficult to properly count in a decennial census.

If a household is not in the master address list, then they will mostly likely NOT be counted during the 2020 census. **Because In-Field Address Canvassing will be particularly important for identifying and noting nontraditional, complex households, we recommend that the accuracy of the list should be the top priority and that the Bureau should increase its In-Field Address Canvassing workload regardless of the cost factor.** As part of this analysis, the Census Bureau must determine the accuracy of those 70% of the nation's addresses that are deemed "stable" and resolved by In-Office Canvassing. Because of the invisible nature of complex households, such as multiple families living in one dwelling, we have concerns that these types of households would be missed during In-Office Canvassing. And to the extent that these types of households often represent those traditionally hardest-to-count, it is imperative that the In-Office Canvassing does not exacerbate the likelihood of missing them.

## ***B. Optimizing Self-Response***

### ***i. Technological Barriers Will Impede Ability to Optimize Self-Response***

The Census Bureau's heavy reliance on technology for the 2020 Census will potentially lead to higher levels of AANHPIs being missed due to the lack of access to a telephone or broadband internet at home. Asian Americans were 1.5 times, and NHPs almost twice, as likely to have no telephone service at home than Whites (2.6%). NHPs were more likely than Whites (16.6%) to not have broadband internet at home. While Asian Americans overall have more broadband internet access than Whites, certain subgroups have less access, such as Burmese and Cambodians. These communities with less access will need additional attention to ensure the move toward technology does not overlook them in the 2020 count. In addition to conducting proper outreach to these communities, it will be important for the Census Bureau to properly calibrate which households will receive the Internet Choice mailing treatment, which will ensure those households receive a questionnaire in the first instance. Not doing so could impede the Census Bureau's ability to optimize self-response. **To that end, we recommend that additional**

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<sup>59</sup> U.S. Census Bureau, 2015 American Community Survey 1-Year Estimates, Table B01001D Sex By Age (Asian Alone).

<sup>60</sup> Asian American Federation, Profile of New York City's Asian Americans: 2005-2007 (Version 1.1-04.09, 2009), <http://www.aafny.org/cic/briefs/nycbrief2009.pdf>.

<sup>61</sup> Michael Laris, *Raid Opens Door on a Crowded House*, The Wash. Post (April 10, 2005), <http://www.washingtonpost.com/wp-dyn/articles/A40447-2005Apr9.html>; Kimberly Yam, *Asian-Americans Have Highest Poverty Rate In NYC, But Stereotypes Make The Issue Invisible*, The Huffington Post (May 8, 2017), [http://www.huffingtonpost.com/entry/asian-american-poverty-nyc\\_us\\_58ff7f40e4b0c46f0782a5b6](http://www.huffingtonpost.com/entry/asian-american-poverty-nyc_us_58ff7f40e4b0c46f0782a5b6).

attention be paid to who receives Internet Choice mailings and to err on the side on being over-inclusive of households in that universe.

#### Lack of Technology Access<sup>62</sup>

Asian Subgroup	% of Households with no telephone service available	% of Households with no broadband internet at home
<b>Asian</b>	<b>3.7%</b>	<b>10%</b>
Asian Indian	3.4%	5.20%
Bangladeshi	4.5%	10.40%
Burmese	5.2%	21.80%
Cambodian	3.2%	20.10%
Chinese	4.2%	10.90%
Filipino	2.9%	9.00%
Hmong	2.6%	10.40%
Indonesian	4.2%	6.70%
Japanese	4.1%	15.40%
Korean	3.7%	12.30%
Laotian	2.7%	12.20%
Nepalese	7.5%	11.60%
Pakistani	2.6%	5.40%
Thai	5.2%	12.00%
Vietnamese	3.5%	12.40%
<b>NHPI</b>	<b>5.0%</b>	<b>19.50%</b>
Polynesian	4.1%	20.00%
Native Hawaiian	3.8%	20.80%
Samoan	5.4%	18.60%
Micronesian	7.3%	19.30%
Guamanian or Chamorro	7.6%	14.30%

#### ii. Ways to Optimize AANHPI Self-Response (And Thereby Minimizing Burden of Non-Response Follow-Up)

Efforts to optimize self-response would be best served by investing in the tools that have been shown to engage traditionally hard-to-count communities: partnership and communications, language support, and opportunities to provide responses beyond the initial self-response (such as the Census Questionnaire Assistance operation and Non-ID Processing.) It's also important to note that these efforts would also go a long way towards minimizing the burden of Non-Response Follow-Up (NRFU) as they could both convince people to self-respond to minimize the NRFU universe and to be potentially more cooperative if they are contacted during NRFU.

<sup>62</sup> U.S. Census Bureau, 2016 American Community Survey 1-Year Estimates, Table S0201: Selected Population Profile in the United States.

a. *Importance of The Partnership Program and The Media to Communicate with Hard-To-Count Asian American Communities and Optimize Self-Response*

The census partnership and outreach programs for both the 2000 Census and the 2010 Census were critical to achieving some of the most accurate counts for many of our hard-to-count communities. In addition to improving accuracy, partnerships with hard-to-count communities reduce non-response follow-up costs. This is achieved through government leaders, school leaders, faith-based leaders, and other community leaders directly communicating with their members about the importance of participating and how the community benefits from participation. Respondents interacting with trusted leaders, rather than with a stranger representing the federal government, are more willing to participate. But to reap the benefits of a partnership program, advanced planning (and funding) is necessary. Time is needed for the Census Bureau to conduct the outreach to the organizations for the partnership program as well as to reach out to local governments and engage them in these efforts. Time is also needed for the CBOs, schools, churches, and other partner groups to gear up for their outreach campaign to their constituents and for them to raise the funds needed for the outreach work from local philanthropies and other sources. This time, the advanced planning is particularly important for minority communities to provide the outreach necessary for its constituents. The growing privacy concerns and distrust of the Census Bureau among hard-to-count communities, the growing diversity in the country, the hostile climate to certain communities, and the general distrust of government make a strong and vibrant partnership and outreach program even more necessary and important for an accurate count in 2020.

In addition to the partnership program, the communications campaign played an important role in reaching hard-to-count communities in the 2000 and 2010 Censuses. Media is an important tool in communicating with hard-to-count Asian American communities. In particular, utilizing ethnic media<sup>63</sup> is the most effective way to reach a substantial part of Asian American communities. A 2009 study on ethnic media penetration conducted by New American Media found that ethnic media reaches almost 3 in 4 Asian Americans, with 57 percent reached by ethnic television, 43 percent by ethnic newspapers, and 25 percent by ethnic radio.<sup>64</sup> Not surprisingly, there are differences across various ethnic groups with respect to reliance on ethnic media.<sup>65</sup>

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<sup>63</sup> New America Media, *National Study on the Penetration of Ethnic Media in America* (2009), available at [http://media.namx.org/polls/2009/06/National\\_Study\\_of\\_the\\_Penetration\\_of\\_Ethnic\\_Media\\_June\\_5\\_2009\\_Presentation.pdf](http://media.namx.org/polls/2009/06/National_Study_of_the_Penetration_of_Ethnic_Media_June_5_2009_Presentation.pdf) (media directed toward a specific ethnic group and often written or broadcast in a language native to the group (e.g., Chinese-language newspapers or Asian television stations)) (*hereinafter* “New American Media Study”).

<sup>64</sup> *Id.* At 11, 19 (73 percent of Asian Americans are reached by ethnic media). A study of Asian American registered voters for the 2016 election showed that a third of registered voters relied on ethnic media for political information. The same study also showed that they were most likely to rely on the internet and social media as their news source, with two-thirds doing so. Karthick Ramakrishnan, Janelle Wong, Taeku Lee, and Jennifer Lee, *Asian American Voices In The 2016 Election Report On Registered Voters In The Fall 2016 National Asian American Survey* (2016), available at <http://naasurvey.com/wp-content/uploads/2016/10/NAAS2016-Oct5-report.pdf> [*hereinafter* “NAAS Report”].

<sup>65</sup> The New American Media Study saw 59% of Chinese, 61% of Koreans, 83% of Vietnamese, 84% of Filipinos, and 85% of Asian Indians relying on ethnic media. NAM Study. The NAAS Report also saw differences between groups:

Online media is a particularly ripe opportunity for reaching Asian Americans. According to several studies, Asian Americans are the heaviest and most experienced Internet users.<sup>66</sup> For example, Asian Americans in the age group of 25-54 spend on average 50% more time on the Internet than all other men in the same age group, and about 63% of Asian American Internet users are between the ages of 18 and 34.<sup>67</sup> Another study found that on average, Asian Americans spend a total of 19.1 hours online a week on a computer, smartphone, or tablet, which is 0.8 hours more than the total US population.<sup>68</sup> Additionally, Asian Americans have the highest adoption rate for new technologies.<sup>69</sup> In-language websites are also popular for the Asian American community. English accounts for just over a third of the total online population (35.2%), with Chinese being the 2nd most popular language at 13.7%, Japanese the 4th most popular language at 8.4%, and Korean the 7th most popular language at 3.9%.<sup>70</sup> Social media can also be utilized to connect with Asian Americans. For example, 42% of Asian Americans communicate with friends in an Asian language half of the time or more on Facebook.<sup>71</sup> Despite these figures indicating online media's potential to reach many Asian Americans, it is equally important to note that many Asian Americans, particularly those in hard-to-count communities, are not internet proficient and lack access to computers. For example, for older Asian Americans, their internet consumption is lower than that of those in other groups.<sup>72</sup> Less than 10% of the Asian American online population are older than 55 years old.<sup>73</sup>

While these are channels by which Asian Americans can be reached, because Asian Americans vary generationally, spanning from recently arrived immigrants to those with roots in the community for more than one hundred years, any communications or marketing plan must be multi-faceted to address the needs of the various ethnic groups, various languages, and various generations. Each individual Asian American sub-ethnic group has intrinsic characteristics that require customization in messaging, treatment, and media vehicles based on nuances. In addition, there are multiple factors that pose additional challenges for reaching the especially hard-to-count Asian American communities. For example, while a majority of Asian Americans are concentrated in metropolitan areas, there are Asian-American segments located in remote

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52% of Vietnamese, 45% of Chinese and 43% of Korean relied on ethnic media as a news source for political information while only 11% of Asian Indians, 19% of Filipinos, and 8% of Japanese do the same. See New American Media Study and NAAS Report.

<sup>66</sup> Pew Research Center, English-speaking Asian-Americans Are the Most Likely To Report Internet Usage (June 26, 2015), <http://www.pewinternet.org/chart/english-speaking-asian-americans-are-the-most-likely-to-report-internet-usage/>.

<sup>67</sup> MediaMorphosis US, Asia American Media Preferences, <http://mediamorphosisinc.com/portfolios/asia-american/> (last visited Sept. 15, 2017) [*hereinafter* "Media Preferences Article"].

<sup>68</sup> Facebook IQ, Digital Diversity: A Closer Look at Asian Americans in the US (Mar. 5, 2015), <https://www.facebook.com/iq/articles/digital-diversity-a-closer-look-at-asian-americans-in-the-us> [*hereinafter* "Facebook Asian American Article"].

<sup>69</sup> Nielsen, How Asian-American Media Consumption Could Be a Glimpse into the Future (May 24, 2017), <http://www.nielsen.com/us/en/insights/news/2017/how-asian-american-media-consumption-could-be-glimpse-into-future.html>.

<sup>70</sup> Media Preferences Article.

<sup>71</sup> Facebook Asian American Article.

<sup>72</sup> For example, only 8 percent of Asian Americans in the 45 to 54 age group are online, compared to 21 percent of white users in this age range and 15 percent of black users. See Media Preferences Article.

<sup>73</sup> *Id.*

rural and urban areas that are not known to be Asian-dominant. In addition, immigrant communities often have cluster presence as opposed to a significant mass composition. Another factor is that there are limited media vehicles available for some Southeast Asian segments comprised mostly of immigrants. This is partly because of high illiteracy levels amongst Hmong, Laotian, and Mien communities. In fact, a significant amount of immigrant Asian American populations are categorized as oral or "preliterate" people (those who lack an alphabet and knowledge of basic literacy processes). For example, a majority of the Hmong community did not read and write as late as the 1950s, and many had never seen books or even held pencils. It has also been reported that in some provinces of Laos in the 1970s, the rate of Hmong who did not read or write was as high as 99 percent, while a 1986 study of Hmong refugee families in the U.S. indicated that 80 percent of those surveyed could not read or write Lao, and 70 percent could not read Hmong.<sup>74</sup> Furthermore, urban and rural isolation insulates communities, and there can be little to no incentive to speak or learn English. This isolation is especially true with elderly and older-adults.

The Census Bureau must properly invest in its partnership and communications plans, including ensuring adequate funding, providing enough lead time to properly develop and implement its plans and developing plans that account for all persons in all communities, especially those hardest to count.

*b. Importance of Language Services to Optimizing Self-Response of AANHPIs*

The success of the 2020 Census depends on the full participation and cooperation of all segments of the American people, including the immigrant community, particularly those who are limited English proficient (LEP) and/or linguistically isolated. The Census Bureau is looking to optimize non-English questionnaire designs and response options for LEP populations and to ensure cultural appropriateness and relevance in all materials through its language support program.<sup>75</sup> This is critical for AANHPIs. Asian Americans have high levels of limited English proficiency (LEP), especially among specific subgroups. Over a third of Asian Americans and 13.5% of NHPs are LEP.<sup>76</sup> The following groups have LEP rates higher than the average rate for the racial group: Indonesian (35.5%), Hmong (37.3%), Laotian (38.7%), Cambodian (41.1%), Korean (42.9%), Thai (43.2%), Bangladeshi (44.4%), Chinese (45.9%), Nepalese (51.7%), Vietnamese (51.8%), Burmese (72.5%), Samoan (13.8%), and Micronesian (22.8%).<sup>77</sup> We have seen improvements with 2020 Language Support Program as compared to the 2010 Census Language Support Program. With the lower threshold to trigger language support (60,000+ compared to 100,000+), there is more language coverage for the online 2020 Census

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<sup>74</sup> John Dufft et al., *The Hmong: An Introduction to their History and Culture* (Donald A. Ranard ed., June 2004), <http://www.culturalorientation.net/content/download/1373/7978/version/1/file/The+Hmong%2C+Culture+Profile.pdf>.

<sup>75</sup> Language Working Group, National Advisory Committee on Racial, Ethnic, and Other Populations, U.S. Census Bureau, *Language Working Group Report* (2016), available at <https://www2.census.gov/cac/nac/reports/2016-11-language-wg-report.pdf>.

<sup>76</sup> Horikoshi & Minnis, *RISE for Boys and Men of Color, Asian American and Pacific Islander Boys and Men: The Risk of Being Missed in the U.S. 2020 Census* 5, <http://www.risebmoc.org/issues/post6>.

<sup>77</sup> *Id.*

and telephonic support. The Census Bureau's current plan supports an Internet questionnaire and Census Questionnaire Assistance (that is, telephonic support) in 12 non-English languages (Spanish, Chinese (Simplified), Vietnamese, Korean, Russian, Arabic, Tagalog, Polish, French, Haitian Creole, Portuguese, and Japanese).<sup>78</sup> This represents an additional 7 languages supported for the internet self-response questionnaire and the Census Questionnaire Assistance. The plan further provides for language glossaries, language identification cards and language assistance guides (video and paper) (LAGs) in 59 languages, which includes American Sign Language.<sup>79</sup> Another improvement is that their telephonic assistance (Census Questionnaire Assistance) will now allow respondents to fill out their census form over the phone (compared to only allowing people to request a questionnaire over the phone in 2010). Other new innovations are the development of language glossaries, video shells, and print templates for languages beyond the 59 supported languages. We also appreciate the transparency by which the language determinations were made and shared.

At the same time, we have some concerns with the current 2020 Language Support Program. While some languages were added to the list, we also saw the loss of coverage compared to the 2010 language support program. There is only one American Indian language covered (Navajo), no Alaskan Native languages, and no NHPI languages. For the 2010 list of languages, 9 additional languages were selected based on requests made by specific Race and Ethnicity Advisory Committees. **We recommend, at a minimum, adding the languages supported in 2010 that are currently NOT on the 2020 language list: Cebuano, Chamorro, Chuukese, Marshallese, Samoan, and Tongan.**

We also commend the Census Bureau for having its 2020 Language Support Team and Integrated Partnership and Communications team already working together to ensure these languages are supported through the Integrated Partnership and Communications Plan. Some recommendations about the Partnership and Communications Campaign include providing more lead time for the proper development of tools and communications campaign, engaging interested stakeholders in development of tools, and increasing the number of partnership staff, in both the national and regional offices, to help promote the materials and the census. Having in-language materials available and properly disseminated to the public through its partnership and communications plan can help to optimize self-response and to minimize the burden of follow-up. **Factoring in the development of appropriate materials for promotion and outreach – leaflets to distribute to individuals, posters, other promotional materials – and questionnaire aids in different languages, we recommend that the Census Bureau start its process as soon as possible and commit the necessary funding to support such work.**

We also recommend that the Census Bureau incorporate trusted CBOs in reviewing all non-English materials, including, but not limited to, any glossaries, non-English mailing materials, and the Census Questionnaire, while allowing sufficient time and appropriate vehicles for organizations to provide input on cultural appropriateness and translation quality prior to

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<sup>78</sup> Jennifer Kim, U.S. Census Bureau, Update on Language Services Operation (June 14, 2018), <https://www2.census.gov/cac/nac/meetings/2018-06/kim-language-services.pdf>.

<sup>79</sup> *Id* (see page 9 for list of 59 languages).

finalizing translations and materials. Additionally, we believe the Census Bureau should develop educational and communications materials with simpler messages and plain-language translations. In 2010, community members found the Census-produced materials to be too dense and text-heavy, and in some cases, too complicated for those who may not be literate in their own native language.

We urge the Census Bureau to revisit its decision to make the paper version of the Census questionnaire available only in English and Spanish. For Asian American communities and other language minority communities, this decision creates a severe chance of an undercount. This danger is particularly large with respect to low-income language minority communities that have lower levels of internet connectivity and thus less access to the online form available in 12 languages. **We recommend that the Census Bureau invest the resources needed to make the paper version of the Census questionnaire available in the same 12 languages in which it is available online.**

Finally, we believe that it is important to include in-language messaging in all mailings, whether for Internet First or Internet Choice treatment. Advocates, particularly those working in immigrant communities, believed that in-language messages used on the advance letter in the 2000 and 2010 Censuses that allowed people to indicate that they wanted to receive a questionnaire in another language or provided information about where they could go to get more in-language information were useful to engage the LEP community. **We recommend that in all mailings to households about the 2020 Census, the Census Bureau include in-language messages that provide information to respondents about how to get information in-language to assist them in filling out their census form by directing them to the 2020 census website or to the Census Questionnaire Assistance numbers.** Providing these avenues for language support upfront will help optimize self-response and remove potential cases from the NRFU workload.

*c. Census Questionnaire Assistance (CQA) Can Optimize AANHPI Self-Response*

It can be helpful to respondents filling out translated forms to have phone representatives who are able to speak the covered languages proficiently assist them with their efforts. An improvement that the Census Bureau plans to implement for the 2020 Census is allowing people to respond to their census questionnaire through the CQA telephone operators. We know that in the previous censuses, the time between a call requesting a questionnaire and actual receipt of the census questionnaire through the mail was often an unnecessary deterrent to participation. Thus, allowing for immediate, real-time responses from callers will ensure more captured responses with this improvement.

To optimize the utility of CQA, the Bureau should extensively advertise the availability and existence of CQA, starting no later than January/February 2020. In past censuses, the telephone assistance numbers were not well known, particularly by those with language needs. It is important that the Census Bureau's partnership and communications efforts promote the CQA program. The CQA numbers should be publicized through ethnic advertising, the mailings from the Census Bureau about participating in the census, and other materials to ensure that

community groups are aware of the service, when it is available, and how it works. CQA numbers should also be given in advance to community organizations, who could in turn advertise the numbers as part of their outreach efforts.

In order to have an effective CQA service, the Census Bureau must ensure the assistance lines are available and properly staffed. In past censuses, the 1-800 number was slow to get started and was not effective, with phone lines that were continuously busy and operators often providing incomplete or incorrect information. For the 2020 Census, the CQA lines should be able to respond to a large volume of calls and should be kept open through the NRFU period to allow individuals who prefer phone interviews to make use of this option. Additionally, the Census Bureau must hire operators who are proficient in the languages in which they offer help. They can achieve this by making all efforts to hire from CBOs or at least seek recommendations from CBOs for bilingual operators. These operators must undergo a training process similar to that of other Bureau employees. Training should involve equipping operators with answers to questions that immigrant or linguistically isolated communities might ask. The Census Bureau could, for example, take questions from the telephone assistance line during Census 2010 and use them for training CQA operators for 2020. Finally, the Census Bureau should evaluate, strengthen, and improve the CQA program by monitoring customer satisfaction and the treatment of callers, including ensuring better follow-up for unresolved issues and quicker responses to callers.

*d. Non-ID Process Is Important for Hard-To-Count AANHPIs*

The “Non-ID” Process is especially important for hard-to-count populations. It is essential that the Census Bureau put individual non-ID responses in the correct address, to ensure accurate household data. Anecdotally in the Asian American community, during the 2010 Census, many on-the-ground partners pointed to the “Be Counted” form as a very useful tool in engaging and counting Asian Americans. The “Be Counted” forms, which were census forms that came in additional non-English languages, were accessible at specific “Be Counted” sites. The “Be Counted” forms did not contain address-specific bar codes, which provided another option for LEP respondents to fill out their forms in-language. The “Non-ID” response option can be a similarly useful tool for the 2020 Census in our community. To that end, it is important for the Census Bureau to sort out how to ensure proper household relationships are established for individuals who respond through the Non-ID response option separately from and in addition to their household and to ensure that the processing of Non-ID responses can address names of respondents from other countries that may differ structurally than the average American name. Additionally, in order to maximize the potential of Non-ID Processing, the Census Bureau must conduct advertising and develop promotional materials for use in the ethnic communities to raise awareness of the opportunity to use respond to the census even if one does not have a unique, identifying code. **We recommend that the Census Bureau work with community groups to make sure they are aware of this opportunity for people to participate in the census without an identifying code, as well as incorporate it into its partnership and communication campaign.**

### *C. Administrative Records*

While we recognize and appreciate that the Census Bureau is working to address congressional concerns about the cost of taking the census, efforts to use administrative records must ensure that the quality of data for our community will not be disproportionately compromised. We are particularly concerned with the proposed use of administrative records for Non-Response Follow-Up (NRFU), where potential harm could occur if the proper precautions are not taken.

There is a lack of standardization across administrative databases on how race and ethnicity is reported and collected that could potentially leave a large portion of our community being missed in these surveys through the use of administrative data. Particularly as it relates to detailed data being collected, Asian Americans run the risk of not having access to critical detailed data if there is an overreliance on administrative data. We are also particularly concerned about the potential use of commercial sources for data. Commercial data is of greatly lower quality than governmental data with respect to our community.<sup>80</sup> This means that any design that relies solely, or even mainly, on administrative records in lieu of in-person non-response follow-up, as well as the use of commercial data except for in the most limited of ways, is highly problematic.

**We recommend that the Census bureau err on the side of not using Administrative Records to enumerate during non-response follow-up: the Census Bureau should sparingly use Administrative Records only when it is both confident in the quality of the data provided through the records and that the administrative record can provide responses to all questions asked in the decennial form. We further urge that the Census Bureau focus its NRFU efforts on ensuring a fair and accurate count and that cost-savings should not dictate how NRFU is conducted.** While we understand that NRFU costs are among the most expensive components of taking the census, it is also the case that by definition it will cost more, as many of those in the NRFU universe are there because they are not inclined to be counted for a variety of reasons. To that extent, it is critical that every effort is made to convince them to participate – those who are more likely to be missed are different than those who are likely to self-respond, and thus it is important to have a realistic snapshot of our country by counting those who did not initially self-respond.

### *D. Reengineered Field Operations*

Minimizing the burden of NRFU can be assisted by proper recruitment and hiring of field staff. The Census Bureau plans to hire about half the number of temporary workers as it hired for the 2010 Census. With this decrease in staffing, it is even more critical that the Census Bureau recruit and hire people who are “indigenous” to the communities where they will be working because of the knowledge these workers bring – from local knowledge of language to local knowledge of neighborhood and culture. **To this end, we recommend the Census Bureau prioritize community, cultural and linguistic skills, experience, and knowledge when recruiting and hiring.** In the past, the Census Bureau has hired legal permanent residents to serve as

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<sup>80</sup> See Burton Reist, U.S. Census Bureau, 2010 Census Match Study Report (Nov. 19, 2012), [https://www.census.gov/content/dam/Census/library/publications/2012/dec/2010\\_cpex\\_247.pdf](https://www.census.gov/content/dam/Census/library/publications/2012/dec/2010_cpex_247.pdf).

interpreters to help ensure language and cultural barriers are addressed in engaging hard-to-count communities. **We recommend that the Census Bureau use all tools at its disposal to ensure the hiring of qualified staff from the community.**

More specifically it will be important for the Census Bureau to promote its recruitment program through a multitude of avenues, such as job fairs, paid advertising, and partner organizations (including faith institutions), as well as utilizing more creative and unconventional methods to recruit and hire census workers for the 2020 Census, including making better use of technology, removing financial disincentives to work for the Census Bureau, enhancing the incentives, and increasing local advertising related to census job opportunities. Hiring protocol that prioritizes community experience and skills would significantly improve the staffing for the 2020 Census and the Census Bureau's ability to effectively engage hard-to-count communities.

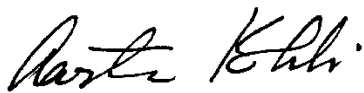
### III. Conclusion

Thank you for this opportunity to comment on the 2020 Census proposed information collection. We believe our comments will help the Census Bureau as it strives to count everyone once and in the right place. If you have any questions, please feel free to contact Terry Ao Minnis, Director of Census and Voting Programs, Asian Americans Advancing Justice – AAJC at [tminnis@advancingjustice-aajc.org](mailto:tminnis@advancingjustice-aajc.org) or (202) 815-4412.

Sincerely,



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Asian Americans Advancing Justice – AAJC



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A handwritten signature in black ink, appearing to read 'Andy Kang'.

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